

REMARKS

In accordance with the requirement set forth in Paper No. 12, the following is the statement of the substance of the Interview of August 15, 2003 for the above-captioned application (09/484,057).

A telephone discussion occurred between the Examiner and Applicant's representative on August 15, 2003. The topic of the telephone conversation was the pending claims 1-5, 7 and 9-34, U.S. Patent No. 5,481,183 to Johnson *et al.* and Applicant's arguments filed on June 18, 2003. Essentially, Applicant explained that none of Applicant's claims should be rejected by Johnson '183 as was done in Paper No. 8. Applicant explained that the apparatus of Johnson '183 could not serve to separate WDM optical signals having 1 nm difference between channels. The Examiner agreed to issue a new, non-final Office action using new art. As a result, Paper No. 13 was mailed August 27, 2003 using Johnson '183 in view of newly cited Farris, U.S. Patent No. 5,347,525.


On a telephone conversation with the Examiner on August 29, 2003, Applicant indicated to the Examiner that the Interview Summary form (Paper No. 12) stated that a Michael Statin participated in the interview on August 15, 2003 and that this name was an error. Applicant indicated that there is no "Michael Statin" involved with this patent application. Applicant indicated that Matthew Lestina should instead be on the interview summary form (Paper No. 12) as a participant. Applicant therefore asked the Examiner to issue a corrected interview summary.

The Examiner refused and stated that he was afraid to place Matthew Lestina as a participant because Matthew Lestina is not the Attorney of Record and there is no Power of Attorney on record stating that Matthew Lestina is appointed.

As a result of this telephone conversation on August 29, 2003, Applicant filed in the U.S. Patent Office on August 29, 2003 a power of Attorney appointing Matthew Lestina as associate attorney for this patent application. Applicant further submits that if the Examiner is afraid of placing the name Matthew Lestina on the Interview Summary record (Paper No. 12), the Examiner should have requested a Power of Attorney appointing Matthew Lestina prior to the interview on August 15, 2003.

Attached is a copy of Power of Attorney appointing Matthew Lestina, Reg. No. 44,437.

Respectfully submitted,



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